IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 2175 of 2005

Between:

U. Sivasankarappa, S/o. U. Pedda Veeranna,
R/o. Door No. 2-311, Upstairs,

Near: Geetha Mandhir, Kurnool.

..... PETITIONER

AND

The Commissioner, Kurnool Muncipal Corporation,

Kurnool.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction, more particularly in the nature of *Writ of Mandamus* directing authorities to consider the request of the petitioner vide representation dated 20-1-2005 along with other applicants for granting lease of Shop No. 9 Municipal Complex, Near: Old Bus Stand, Kurnool or alternatively direct the authorities to conduct the public auction for letting out the shop No. 9.

Counsel for the Petitioner: MR.B.NARASIMHA SARMA

Counsel for the Respondent: MR.A.SREEDHAR

The Court made the following:

ORDER:

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For directing the respondent to consider the request of the petitioner vide representation dated 20.01.2005 along with other applicants for granting lease of Shop No.9, Municpal Complex, Near Old Bus stand, Kurnool or alternatively direct the respondent to conduct public auction for letting out the shop No.9 to the petitioner, the present writ petition has been filed.

2. It is the case of the petitioner that the he proposed to establish his business and he is in need of commercial place, he submitted a representation dated 20.01.2005 to the respondent requesting to consider and let out the premises Shop No.9 to him on monthly rent and also to negotiate about terms of lease, and the same was acknowledged by the respondent on 22.01.2005. It is further stated that some other persons have also made similar representations requesting to let out the said premises either on open negotiations or conduct public auction for letting out the said premises. It is further alleged that the respondent is likely to consider the request of the third party by substituting him as tenant in the place of earlier lessee i.e. Yemmiganur Weavers Cooperative Production and Sale Society Limited. Therefore, he filed the present writ petition.

3. When the matter is taken up for admission, it appears that the respondent has not been filed any counter even though the matter is pending consideration from 10.02.2005.

4. Since the respondent has not been filed any counter, I deem it appropriate to dispose of the writ petition at the stage of admission directing the respondent to consider the representation of the petitioner dated 20.01.2005 in accordance with law within 8 weeks from the date of receipt of this order.

5. With the above direction, the writ petition is disposed of. No order as to costs.

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(ELIPE DHARMA RAO, J)

Date: 16.06.2005

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner, Kurnool Muncipal Corporation,

Kurnool.

2. 2 CD copies

*Form-NIC-OGS/WP{**VSMI**}*